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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,367	07/19/2001	Lawrence G. Almeda	LGA 0101 PUS	9849

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EXAMINER
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PATEL, DHAIRYA A

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/909,367

Applicant(s)

ALMEDA ET AL.

Examiner

Dhairya A. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communication filed on 3/13/2005. Claims 1-28 are pending from the application. Claims 18-26 and 28 are cancelled.
2. As per objection to the specification, Examiner withdraws the objection to the Title of the invention.
3. As per objection to the drawings. Examiner withdraws the objection to the drawings.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-17,27 are rejected under 35 U.S.C. 102(e) as being unpatentable by Tsuei et al. U.S. Patent # 6,654,779 (hereinafter Tsuei).

1. As per claim 1, Tsuei teaches a method of managing an update of an old email address to a new email address of a first client via a first system, the update being managed by a system for a second client, the method comprising: (abstract lines 1-15).

Note: Thereby the reference teaches a method for managing Internet e-mail

address changes where subscribers change ISP (update of an old e-mail to a new e-mail address). A computer system manages a database of stored records correlating a first e-mail address of an intended recipient, e.g. an old e-mail address, to a second e-mail address, e.g. a new e-mail address of the intended recipient (, the update being managed by a system for a second client).

-providing inputted information of the update in the first system; (column 6 lines 33-40). Note: Thereby the reference teaches EAMS contains an old address and a new address (inputted information of the update) for each address change registered with the EAMS and stored in the database.

-sending the inputted information from the first system to the second system via a communication network (Fig. 3) (column 6 lines 44-46), the inputted information representing the update of the old and new email address and identification of the first client (column 10 lines 54-60), the inputted information being recognizable by the second system; (column 6 lines 33-40)

Note: The reference teaches EAMS connected to the Internet (communication network) and thus accessible by any ISP (first system & second system) that is connected to the internet and can send and receive e-mail messages.

The reference also teaches the EAMS may require certain additional information from the consumer before creating a record correlating the given new email address to an old address (update of the old and new email address). This additional information may include the consumer's social security number, mother's maiden name, employer's ID number, and similar information (identification of the first client).

The reference also teaches this address change information is stored in the form of data record having a plurality of data fields, including an old e-mail address field and a new e-mail address field (the inputted information being recognizable by the second system).

-configuring the information of the update into the second system to monitor outgoing email addresses of subsequent email messages; (column 7 lines 32-46)

Note: The reference teaches if the message is sent to an intended recipient at the old address, the message is returned to the sender ISP with an error message, since there is no address match at old ISP (monitor outgoing email addresses of subsequent email messages).

-sensing each outgoing email address of each subsequent email message to be sent from the second system; and (column 7 lines 32-46)

Note: The reference teaches if the message is sent to an intended recipient at the old address, the message is returned to the sender ISP with an error message, since there is no address match at old ISP. (sensing an outgoing email address of a subsequent email message sent from the second system). It is inherent that the ISP checks it each outgoing email address because that the only way it will know if the address it the right outgoing email address of each subsequent email message.

-redirecting the subsequent email message to the new email address of the first client, if the outgoing email address is determined to be the old email address of the first client. (column 7 lines 32-46).

Note: The reference teaches if a new address is found for the old address, then EAMS sends the new address back to sender ISP (if the outgoing email address is determined to be the old email address of the first client). With the new address, the sender ISP automatically forwards the message to the intended recipient at the new ISP and notifies the sender via e-mail of the intended recipient's new address (redirecting the subsequent email message to the new email address of the first client).

2. As per claim 2, Tsuei teaches method of claim 1, wherein providing inputted information includes providing an inputted monitoring program configured within the first and second systems (Fig 3), the monitoring program being capable of monitoring outgoing email address of subsequent email messages (column 7 lines 33-39), the monitoring program having a monitoring file configured to receive the inputted information of the update. (column 7 lines 40-46).

The reference teaches if the message is sent to an intended recipient at the old address, the message is returned to the sender ISP with an error message, since there is no address match at old ISP (the monitoring program being capable of monitoring outgoing email address of subsequent email messages). The EAMS searches its database to see if it contains a record relating to the old address to a new address. (the monitoring program having a monitoring file configured to receive the inputted information of the update)

3. As per claim 3, Tsuei teaches method of claim 2 wherein sending the inputted information includes sending the monitoring file having the inputted information. (column 7 lines 35-39).

4. As per claim 4, Tsuei teaches a method of claim 3 further comprising:

- notifying the second client via the second system of the update, after sending the monitoring file; (column 7 lines 40-46)

- requesting authorization from the second client to configure the monitoring program within the second system within the second system with the new email address after notifying the second client of the update; (column 7 lines 53-61)

- receiving authorization from the second client to configure the monitoring program within the second system with the new email address; and (column 7 lines 65-67) (column 8 lines 1-4).

- providing notification of the update of the outgoing mail address to the second system prior to the redirecting the subsequent mail message, if the outgoing email address is determined to be the old email address of the first client. (column 8 lines 5-12).

5. As per claim 5, Tsuei teaches a method of claim 4 further comprising recognizing the inputted information in the monitoring file. (column 8 lines 12-19).

6. As per claim 6, Tsuei teaches a method of claim 5 further comprising determining whether the outgoing email address is the old email address of the first client. (column 8 lines 5-12).

7. As per claim 7, Tsuei teaches a method of claim 3, wherein the communication network includes a local area network, a metropolitan area network, and a wide area network. (Fig. 3) (column 6 lines 45-54)

8. As per claim 8, Tsuei teaches a method of claim 3 wherein the information of the

update includes data indicative of the first client. (Column 6 lines 60-67) (Column 7 lines 1-6) (Fig. 3)

9. As per claim 9, Tsuei teaches a method of claim 8 wherein the information includes the old email address of the first client, the new email address of the first client, identification of the first client, effective date of the update and time period of the update. (column 10 lines 48-60)

10. As per claim 10, Tsuei teaches a method of claim 4 further comprising confirming with the second client that the outgoing email address is the updated email address, after notifying the second client. (Column 7 lines 65-67) (Column 8 line 1)

11. As per claim 11, Tsuei teaches a method of claim 10 further comprising receiving authorization from the second client to redirect the subsequent email message to the new address when confirmation is given by the second client. (Column 7 lines 65-67) (column 8 line 1)

12. As per claim 12, Tsuei teaches a method of claim 3 further comprising notifying the second client via the second system of the update. (column 7 lines 43-46)

13. As per claim 13, Tsuei teaches a method of claim 3 wherein the subsequent email messages are sent from the second system. (column 7 lines 43-46).

14. As per claim 14, Tsuei teaches a method of claim 3 wherein second system recognizes the information of the update (column 7 lines 65-67) (column 8 lines 1-4).

15. As per claim 15, Tsuei teaches a method of claim 3 wherein the subsequent email message is sent subsequent to sending the monitoring file. (column 7 lines 36-46)

16. As per claim 16, Tsuei teaches a method of claim 3 wherein the first system



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includes a system of an internet carrier, a system of a harddrive for a central processing unit, a system of local area network, a system of a metropolitan area network, and system of a wide area network. (Fig. 3) (column 6 lines 45-54 lines 16-24) (column 4 lines 34-46)

17. As per claim 17, Tsuei teaches a method of claim 3 wherein the second system includes a system of an internet carrier, a system of a harddrive for a central processing unit, a system of local area network, a system of a metropolitan area network, and system of a wide area network. (Fig. 3) (column 6 lines 45-54 lines 16-24)

18. As per claim 27, Tsuei teaches a system for managing an update of an old email address to a new email address of a first client via a first system, the update being managed by a system for a second client, the method comprising: (abstract lines 1-15).

Note: Thereby the reference teaches a method for managing Internet e-mail address changes where subscribers change ISP (update of an old e-mail to a new e-mail address). A computer system manages a database of stored records correlating a first e-mail address of an intended recipient, e.g. an old e-mail address, to a second e-mail address, e.g. a new e-mail address of the intended recipient (the update being managed by a system for a second client).

-a first mechanism for providing an inputted monitoring program configured within the first and second systems (Fig 3), the monitoring program being capable of monitoring outgoing email address of subsequent email messages;(column 7 lines 33-39)

Note: The reference teaches if the message is sent to an intended recipient at

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the old address, the message is returned to the sender ISP with an error message, since there is no address match at old ISP (the monitoring program being capable of monitoring outgoing email address of subsequent email messages)

-a second mechanism for sending from the first system a monitoring file of the monitoring program to the second system via a communication network (Fig. 3) (column 6 lines 44-46), the monitoring file being configured to receive inputted information of the update, the monitoring file having inputted information representing the update of the old and new email addresses and identification of the first client, the information being recognizable by the second system; (column 6 lines 59-64), (column 10 lines 48-60)

-a third mechanism for configuring the information of the update into the monitoring program within the second system to monitor outgoing email addresses of subsequent email messages; (column 7 lines 32-46)

Note: The reference teaches if the message is sent to an intended recipient at the old address, the message is returned to the sender ISP with an error message, since there is no address match at old ISP (monitor outgoing email addresses of subsequent email messages).

-a fourth mechanism for sensing each outgoing email address of each subsequent email message to be sent from the second system; and (column 7 lines 32-46)

Note: The reference teaches if the message is sent to an intended recipient at the old address, the message is returned to the sender ISP with an error message,

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since there is no address match at old ISP. (sensing an outgoing email address of a subsequent email message sent from the second system) It is inherent that the ISP checks it each outgoing email address because that the only way it will know if the address it the right outgoing email address of each subsequent email message.

- a fifth mechanism for redirecting the subsequent email message to the new email address of the first client, if the outgoing email address is determined to be the old email address of the first client. (column 7 lines 32-46).

Note: The reference teaches if a new address is found for the old address, then EAMS sends the new address back to sender ISP (if the outgoing email address is determined to be the old email address of the first client). With the new address, the sender ISP automatically forwards the message to the intended recipient at the new ISP and notifies the sender via e-mail of the intended recipient's new address (redirecting the subsequent email message to the new email address of the first client).

### **Remarks**

19. As a remark, applicant asserted:

As per claim 1 and 27, the applicant asserted "Tsuei clearly does not each sensing each outgoing email address of each email message to be sent from the second system".

Examiner disagrees with the applicant's assertion. The reference teaches if the message is sent to an intended recipient at the old address, the message is returned to the sender ISP with an error message, since there is no address match at old ISP.

(which is sensing an outgoing email address of a subsequent email message sent from the second system) It is inherent that the ISP checks it each outgoing email address

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because that is the only way it will know if the address is the right outgoing email address of each subsequent email message.

***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "System and Method for Electronic Mail (E-mail) Management" by Tsuei et al.  
U.S. Patent # 6,654,779 (hereinafter Tsuei)

21.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

22.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A Patel whose telephone number is 703-305-0457. The examiner can normally be reached on 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 703-305-6687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAP

  
**ZARNI MAUNG**  
**SUPERVISORY PATENT EXAMINER**